

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
Case No. 1:21-CV-00024-MR-WCM**

**CHRISTOPHER RUPPE and WILLIAM
TONEY, on behalf of themselves and those
similarly situated,**

Plaintiffs,

v.

CARPENTER DESIGN, INC.,

Defendant.

**JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT AND ENTRY
OF A CONSENT ORDER DISMISSING ACTION WITH PREJUDICE**

Plaintiffs Christopher Ruppe and William Toney (“Plaintiffs”) and Defendant Carpenter Design, Inc., pursuant to 29 U.S.C. § 216(b) and Local Civil Rule 7.1 and Rule 41(a)(2) of the Federal Rules of Civil Procedure, hereby file their Joint Motion for Approval of Settlement Agreement and Entry of a Consent Order Dismissing Action with Prejudice pursuant to which the parties seek the entry of the attached Consent Order Approving Settlement and Dismissing Action. In further support of this Motion, the parties show the Court the following:

1. To fully and completely resolve this dispute without the need to further involve judicial resources, the parties have jointly entered into a Confidential Settlement Agreement, copies of which are hereby submitted to the Court as **Exhibit A**, and have agreed upon the language of a Consent Order dismissing this action. A copy of the agreed upon Consent Order is attached hereto as **Exhibit B**.

2. As set forth in the parties’ respective briefs in support of this motion, good cause exists for the entry of the proposed Consent Order and its entry would be just and equitable.

WHEREFORE, the parties respectfully request that the Court enter the proposed Consent Order Approving Settlement and Dismissing Action attached hereto as Exhibit B.

This 22nd day of June, 2021.

/s/Adam A. Smith

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